

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Aftab ALAM

Application No.: 09/842,838

Filed: April 27, 2001



Art Unit: 1653

Examiner: A. Mohamed

Attorney Dkt. No.: 108904-00002

For: AGENT FOR PROTEIN PRECIPITATION, A METHOD OF PROTEIN PRECIPITATION, A METHOD OF PROTEIN ASSAY USING PROTEIN PRECIPITATION AGENT, AND A KIT FOR PROTEIN ASSAY

SUBMISSION OF TERMINAL DISCLAIMER

Director of the U.S. PTO
P.O. Box 1450
Alexandria, VA 22313-1450

January 12, 2003

Sir:

Submitted herewith for filing in the above-identified application, is a Terminal Disclaimer.

The Commissioner is hereby authorized to charge the necessary fee of One Hundred Ten (\$110.00) dollars to cover cost of the fee, (a duplicate copy is enclosed) described above and any fee deficiency or credit any overpayment associated with this communication to Deposit Account No.: 01-2300, referencing Docket No. 108904-00002.

Respectfully submitted,
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TERMINAL DISCLAIMER UNDER 37 CFR 1.321(b)

Director of the U.S. PTO
P.O. Box 1450
Alexandria, VA 22313-1450

Date: January 12, 2004

Sir:

Petitioner, Geno Technology, Inc., having its place of business at St. Louis, Missouri, represents that it is the assignee and owner of all right, title and interest in and to U. S. Patent Application Serial No. 09/842,838, filed April 27, 2001, for AGENT FOR PROTEIN PRECIPITATION, A METHOD OF PROTEIN PRECIPITATION, A METHOD OF PROTEIN ASSAY USING PROTEIN PRECIPITATION AGENT, AND A KIT FOR PROTEIN ASSAY, the assignment for the application being filed herewith. Petitioner is also the assignee of all right, title, and interest in and to U. S. Patent Serial No. 5,900,376, issued for AGENT FOR PROTEIN PRECIPITATION, A METHOD OF PROTEIN PREIPITATION, A METHOD OF PROTEIN ASSAY USING PROTEIN PRECIPITATION AGENT, AND A KIT FOR PROTEIN ASSAY.

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Petitioner hereby disclaims the terminal part, if any, of any patent granted on application Serial No. 09/842,838, which would extend beyond the expiration date of U.S. Patent No. 5,900,376, and hereby agrees that any patent so granted on application Serial No. 09/842,838 shall be enforceable only during such period that the legal title to such patent shall be the same as the legal title to U.S. Patent No. 5,900,376 this agreement to run with any patent granted on application Serial No. 09/842,838, and to be binding on its grantee, its successors, or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent No. 5,900,376 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned on behalf of petitioner, Geno Technology, Inc., hereby states and declares that I have the authority to execute this Terminal Disclaimer on behalf of the petitioner.

Respectfully submitted,

Geno Technology, Inc.

By: A. Alawn / A. Alawn

Title: CEO. / President

Date: Jan 12, 04